

## KEY TERMS

<ul style="list-style-type: none"><li>• <b>FINANCIAL EXPLOITATION:</b></li></ul> <p>When a person illegally or improperly uses the resources of an incapacitated or dependent adult for the profit or advantage of someone other than the adult.</p> <ul style="list-style-type: none"><li>• <b>INCAPACITATED ADULT:</b></li></ul> <p>Any adult who by reason of mental illness, mental deficiency, physical illness or disability lacks sufficient understanding or capacity to make or communicate responsible decisions about him/herself or effectively manage or apply his/her estate to necessary ends.</p> <ul style="list-style-type: none"><li>• <b>DEPENDENT ADULT:</b></li></ul> <p>Any adult who has a physical or mental condition that substantially impairs the adult's ability to adequately provide for that adult's daily needs. It includes but is not limited to residents of nursing and assisted living facilities</p> <ul style="list-style-type: none"><li>• <b>FINANCIAL INSTITUTION:</b></li></ul> <p>Any bank or credit union, or branch of that bank or credit union, within Maine participating in the Project that may become aware of suspected financial exploitation.</p> <ul style="list-style-type: none"><li>• <b>SECURITY:</b></li></ul> <p>Any designated department <i>or</i> individual with full or part-time responsibility for investigating and reporting possible instances of financial exploitation to outside authorities.</p>	<ul style="list-style-type: none"><li>• <b>EMPLOYEE:</b></li></ul> <p>Anyone at the financial institution with a full or part time job, other than security, who may have contact with customers and their financial records. Includes tellers, customer service representatives, managers, computer operators or other staff.</p> <ul style="list-style-type: none"><li>• <b>ADULT PROTECTIVE SERVICES (APS):</b></li></ul> <p>Adult Protective Services (APS) is a program within the Department of Health and Human Services, the State agency mandated to receive and investigate reports of suspected abuse, neglect or exploitation of incapacitated and dependent adults.</p> <ul style="list-style-type: none"><li>• <b>APS INTAKE LINE (1-800-624-8404):</b></li></ul> <p>Statewide 24 hour toll free intake number for reports of financial exploitation.</p> <ul style="list-style-type: none"><li>• <b>A. G.'S CONSUMER LINE (1-207-626-8800)</b></li></ul> <p>Receives reports of consumer fraud Monday through Friday, 9 a.m. to 5 p.m.</p> <ul style="list-style-type: none"><li>• <b>LOCAL LAW ENFORCEMENT:</b></li></ul> <p>The police department, sheriff's office or State Police in the city or town where the financial institution is located. Directly receives reports of scams. May be brought into the investigation following APS involvement.</p> <ul style="list-style-type: none"><li>• <b>SUSPECT:</b></li></ul> <p>Anyone who reasonably appears to be engaging in financial exploitation. May be a family member or acquaintance, fiduciary or scam artist.</p>
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## **SYMPTOMS OF FINANCIAL EXPLOITATION SUSPICIOUS BEHAVIOR**

**A customer may be financially exploited if they are:**

- **Accompanied by a stranger who encourages them to withdraw a large amount of cash.**
- **Accompanied by a family member or other person who seems to coerce them into making transactions.**
- **Not allowed to speak for themselves or make decisions.**
- **With an acquaintance who appears too interested in their financial status.**
- **Nervous or afraid of the person accompanying them.**
- **Giving implausible explanations about what they are doing with their money.**
- **Concerned or confused about "missing funds" in their accounts.**
- **Unable to remember financial transactions or signing paperwork.**
- **Fearful that they will be evicted, or institutionalized, if money is not given to a caregiver.**
- **Neglected or receiving insufficient care given their needs or financial status.**
- **Isolated from other family members or support by a family member or acquaintance.**
- **Financial exploitation is often found in combination with other forms of abuse.**

***Abuse, neglect or exploitation of an incapacitated or dependent adult should always be reported to Adult Protective Services.***

## TYPES OF FINANCIAL EXPLOITATION

PERSONAL RELATIONSHIP	SCAMS
<p><b>SUSPECT</b> is known to the victim. May be family member, friend, acquaintance or fiduciary.</p>	<p>SUSPECT is a stranger to the victim and employs person-to person scam, and/or mail fraud, telefraud, or internet fraud.</p>
<p><b>VICTIM</b> An incapacitated or dependent adult</p>	<p><b>VICTIM</b> Any individual, regardless of age or capacity</p>
<p>SUSPECT acts or fails to act in a way that causes monetary or property loss to the victim and gain to self. <b>FINANCIAL EXPLOITATION</b> is sometimes combined with other forms of abuse &amp; neglect and may include:</p> <p>Mismanagement of income or assets</p> <p>Signing checks or documents without the victim's consent</p> <p>Charging excessive fees for rent or caregiving services</p> <p>Stealing money or property</p> <p>Obtaining money or property by undue influence, misrepresentation or fraud.</p>	<p>SUSPECT employs a person-to-person scam, and/or engages in mail fraud or telefraud to obtain money. Common scams are:</p> <p><i>The Bank Examiner</i> Victim is enlisted by fake bank examiner to withdraw money as part of government investigation into teller fraud</p> <p><i>The Pigeon Drop</i> The con (usually a woman) claims to be willing to split found money with victim if victim makes a "good faith" payment</p> <p><i>The Fake Accident Ploy</i> The con gets the victim to withdraw money on the pretext that the victim's child is in the hospital</p> <p><i>The Bogus Vacation</i> The victim gets a call saying they have won a free or cheap vacation. They must give out account information to verify the deal.</p>

## **SYMPTOMS OF FINANCIAL EXPLOITATION SUSPICIOUS ACCOUNT ACTIVITY**

- **Unusual volume of account activity:**

Frequent account changes from one branch/ financial institution to another.  
Change in pattern of withdrawals (e.g. several in one day), or unusually large amounts.  
Large withdrawals or transfers from recently opened joint accounts.

- **Account activity inconsistent with customer's usual habits:**

Large withdrawals from previously inactive account or savings account.  
Frequent withdrawals made through ATMs, especially if customer is physically frail and has not used ATM previously.  
Regular rent or utility payments by check cease abruptly.  
Stable, single beneficiary trusts are revoked.  
Distribution provisions are altered to require payments to third parties.

- **Suspicious signatures on checks or other documents, like credit card applications:**

Customer's signature appears forged.  
Customer's signature appears correct but amounts are written in a different handwriting. Use of different pens or inks may indicate that something is wrong.

- **Sudden increases in incurred debt when customer appears unaware of transactions:**

Loans or second mortgages are obtained.  
Large credit card or reserve credit debts.

- **A fiduciary or other person begins handling the customer's affairs, withdrawing funds with no apparent benefit to the customer.**

- **Account statements and canceled checks are no longer sent to the customer's home (verify that this is the customer's wish).**

- **Implausible reasons for account activity are given either by the customer or the person accompanying them.**

## **EMPLOYEE RESPONSE: ACTION STEPS**

- 1. Learn the reason for large transactions or withdrawals.**
- 2. Check authorization and documentation to act for customer.**
- 3. Provide Confidence Crime/Financial Exploitation Alert form.**
- 4. Get photographic evidence (and be able to describe suspect).**
- 5. Consult with security at any time.**
- 6. Ask customer to speak with security.**
- 7. Notify security or law enforcement AT ONCE if you believe the customer is in immediate danger.**

### **REMEMBER:**

- Time is the enemy of the financial exploiter.**
- Justify your concern and emphasize the commitment of your financial institution to protecting customers.**
- Empathize with the customer and validate their feelings.**
- Ask clear, non-threatening factual questions.**
- Tell customers they aren't alone (people are reluctant to reveal exploitation).**
- Don't say that you are concerned simply because a customer is elderly.**
- Don't let anyone else speak for the customer. This is a "red flag" that something is wrong.**

## THREE STEP REPORTING

<b>PERSONAL RELATIONSHIP EXPLOITATION</b>	<b>CONFIDENCE CRIMES (SCAMS)</b>
<p><b>1. Employee always makes oral report to security/designated manager no later than beginning of next business day.</b></p> <p><b>Employee does not contact APS.</b></p>	<p><b>1. Employee makes oral report to security/ management (preferred).</b></p> <p><b>Emergency procedure: Employee makes report to law enforcement prior to notifying security / management.</b></p>
<p><b>2. Security/ management makes immediate oral report to APS.</b></p> <p><b>Security/ management provides written report to APS in 48 hours.</b></p> <p style="text-align: center;"><b>Contents of Report to APS</b></p> <ul style="list-style-type: none"> <li>• Name, age (estimate) address &amp; telephone number of victim</li> <li>• Name, relationship &amp; address of suspect (if known)</li> <li>• Description of suspicious circumstances</li> <li>• Origin of the report: institution name, branch, address and reporter name</li> <li>• Other agency(ies) involved (if any)</li> </ul>	<p><b>2. Security/ management makes immediate report to law enforcement, unless emergency situation.</b></p> <p style="text-align: center;"><b>Contents of Report to Law Enforcement</b></p> <ul style="list-style-type: none"> <li>• Name, age (estimate) address and telephone number of victim</li> <li>• Full description of suspect</li> <li>• Description of incident</li> <li>• Location of incident (financial institution, branch, &amp; address)</li> <li>• Description of suspects car &amp; license number (if known)</li> </ul>
<p><b>3. Written report filed by security/ management for internal review</b></p>	<p><b>3. Written report filed by security/ management for internal review</b></p>